





22102162253

Med

K38850

THE ASYLUMS OFFICERS' SUPERANNUATION ACT, 1909,

WITH FULL PRACTICAL NOTES AND TABLES OF
DEDUCTIONS UNDER THE ACT,

BY

CHAS. H. LEACH,

Of Gray's Inn, Barrister-at-Law,

One of the Legal Editors of the "Poor-Law Officers' Journal," Author of the "Poor-Law Officers' Superannuation Acts," and Joint Author of "Contracts of Local Authorities" and the "Law Relating to Vaccination,"

AND

GEORGE E. LEACH,

Of Gray's Inn, Barrister-at-Law.

London :

THE POOR-LAW PUBLICATIONS COMPANY,
18 & 19, WHITEFRIARS STREET, E.C.

1910.

17251

WELLCOME INSTITUTE LIBRARY	
Coll	weiMOMec
Call	
No.	17251

INTRODUCTION.

HISTORY OF SUPERANNUATION.

For the last sixty-five years the Authorities of County and Borough Asylums in England and Wales have had a discretionary power under several statutes relating to the administration of Asylums to grant superannuation allowances to their officers and servants. This power was first conferred by the Lunacy Act, 1845 (8 and 9 Vict., c. 126), section 43 of which provided that in case any Superintendent, Chaplain, Matron, or other officer or servant of any County or Borough Asylum should, from confirmed sickness, age, or infirmity, become incapable of executing the office in person, it should be lawful for the Justices (the old Asylums Authority) to grant such annuity as they in their discretion thought proportionate to the merits and time of service of the officer or servant, subject to the proviso that the amount "should not exceed two-thirds of the salary at the time of retirement."

INTRODUCTION.

This section was repealed, but re-enacted with some additions, by the Lunatic Asylums Act, 1853 (16 and 17 Vict., c. 97). Section 57 recognised length of service as a sufficient ground for superannuation, provided that the servant had reached a certain age, and whilst still enabling the Committee of Visitors (the new Authority) to grant superannuation on the general ground of confirmed sickness, age, or infirmity, gave the Committee power to pension persons who had been officers or servants in the Asylum for not less than twenty years, and who had reached the age of fifty years. By the Lunacy Acts Amendment Act, 1862 (25 and 26 Vict., c. 111), section 12, the length of service for the purpose of the last-mentioned provision was reduced to fifteen years. At the same time, the Committee of Visitors, in calculating the amount of the superannuation, were empowered to take into account the value of the lodgings, rations, or other allowances enjoyed by the person superannuated. The Lunacy Acts Amendment Act, 1889 (52 and 53 Vict., c. 41), section 70, added to the law of superannuation by providing that service in two or more Asylums belonging wholly, or in part, to the same local authority, should be aggregated for the purpose of computing the amount.

These several Acts were wholly repealed by the Lunacy Act, 1890 (53 and 54 Vict., c. 5), which consolidated the law relating to Lunacy and the

INTRODUCTION.

administration of Asylums. The superannuation provisions were, however, re-enacted, in substance, by sections 280, 281, and 282. These sections, in turn, are now repealed by the Asylums Officers' Superannuation Act, 1909 (9 Edw. 7, c. 48), but the repeal does not affect the payment of any superannuation allowance granted before the commencement of the new Act, nor does it affect established officers or servants who contract out of that Act, or officers and servants who, being in the service at the date of the commencement of the Act, are not, or are not determined to be, established officers or servants within the meaning of the Act. For (1) the purpose of superannuation allowances granted before the commencement of the new Act, for (2) the purpose of established officers and servants who contract out of that Act, and for (3) the purpose of officers and servants who, being in the service at the commencement of the Act, are not within its benefits, the sections of the Act of 1890 remain in force.

In Ireland there has been discretionary power since 1856 to grant superannuation to any officers and servants, but until the Act of last session there was no power in Scotland (save in Royal or Chartered Asylums).

Under the superannuation sections of the Lunacy Act, 1890, and under the Irish Acts, an Asylum officer or servant had no guarantee whatever, however long and meritorious his service might be, that

INTRODUCTION.

he would receive superannuation on retirement. The matter was entirely within the discretion of the Visiting Committee, and different Committees took different views. The Select Committee, to which Sir W. Collins' Bill, now an Act, was referred, summed up the position in these words: "While it is true that advantage has been taken by a large number of asylum authorities in England, Wales, and Ireland of their optional powers of pensioning officers on their retirement, there are some who grant no superannuation allowances whatever. In the case of those authorities who exercise their discretionary power, the majority appear to have no definite scale of allowance in force, and in some cases the discretion is said to be capriciously exercised." This uncertainty and want of uniformity had, of course, its effect on the Asylum service, and it is significant that the Lunacy Commissioners themselves thought it necessary to call attention more than once to the need for such a system of superannuation as would render the service more attractive, more efficient, and more stable. The passing of the Poor-Law Officers' Superannuation Act in 1896, establishing compulsory superannuation in the Poor-Law Service on a contributory basis, greatly strengthened the case for an alteration of the law. In 1897 the Lord Chancellor introduced a Bill in the House of Lords to extend the Poor-Law Officers' Superannuation Act to Asylum servants.

INTRODUCTION.

Similar Bills were introduced in the same House under Government auspices in 1898, 1899, and 1900, but were not pressed seriously. Meanwhile the Asylum Workers Association, formed in 1895, began to organise the service in support of the demand for assured pensions, and to generate the necessary driving force. In 1909, at the request of the Association—whose efforts had the support of other organisations, such as the Medico-Psychological Association and the Asylum Clerks, Stewards, and Storekeepers Association—Sir William Collins, M.P., introduced a Bill modelled on the lines of the Poor-Law Officers' Superannuation Act. The Government took up a benevolent attitude, and the Bill was referred to a Select Committee. After hearing witnesses the Committee reported strongly and unanimously in favour of legislation on these lines. The Bill afterwards went through both Houses without much difficulty, though some important amendments were made in the course of its passage.

It may be added that another Superannuation Bill was introduced in the same session at the request of the officers of the Scottish District Asylums. Their position was more unfavourable than that of their fellows in England and Ireland, for the Managing Committees of the District Asylums in Scotland had not even the power to grant superannuation. The Scottish Bill, introduced by Sir J. Jardine, M.P., simply sought to extend the law as it

INTRODUCTION.

then stood in England and Ireland to Scotland, by conferring a discretionary power to grant superannuation on the Authorities of the District Asylums in Scotland. This permissive Bill was promoted by the Scottish officers on the familiar principle that half a loaf is better than no bread. It was, of course, readily withdrawn when it was seen that a more satisfactory measure was likely to become law.

———— C. H. L.

2 New Court,

G. E. L.

Lincoln's Inn.

January 1st, 1910.

TABLE OF CONTENTS.

	PAGE
Introduction	3

ASYLUMS OFFICERS' SUPERANNUATION ACT, 1909:—

SUPERANNUATION.

1. Division of officers and servants into classes ...	11
2. Title of officers, servants, etc., to superannuation allowances, and scale thereof	13
3. Duty of visiting committee in cases where superannuation allowances are granted on ground of incapacity	17
4. Power to grant gratuities to dependants in case of death of officer or servant	19
5. Forfeiture for fraud, etc.	19
6. Reckoning service	20
7. Case of subsequent appointment	21

CONTRIBUTION.

8. Obligation of officers and servants to contribute	22
9. Scale of contributions	23
10. Return of contributions in certain cases	24

MISCELLANEOUS.

11. Provision for retiring officers and servants in certain cases	26
12. Payment of allowances and gratuities	26
13. Saving of liabilities in respect of contributions to allowances	28

CONTENTS.

14. Assignment	28
15. Appeal in cases of dispute	33
16. Salary or wages and "emoluments"	33
17. Interpretation	35
18. Application to Scotland	36
19. Application to Ireland	37
20. Repeals	38
21. Short Title and commencement of Act	40
Schedule	41
Repealed Enactments	41
Tables of Deductions	49
Index	53

Asylums Officers' Superannuation Act, 1909.

[9 EDW. 7 C. 48.]

An Act to provide for Superannuation Allowances to Officers and Servants employed in Public Asylums for the Insane in Great Britain and Ireland; and to make other relative provisions.

[3rd December, 1909.]

Be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

SUPERANNUATION.

DIVISION OF OFFICERS AND SERVANTS INTO CLASSES.

1.—(1) For the purposes of this Act the established officers and servants (1) employed in asylums shall be divided into two classes. The first class shall con-

(1). "Established officer or servant" means an officer or servant employed in a permanent capacity who has the care or charge of the patients, or whom the Visiting Committee of an Asylum shall by resolution determine to be an established

sist of all those established officers and servants who have the care or charge of the patients in the usual course of their employment. The second class shall include all other established officers and servants.

(2) The division of established officers and servants into classes shall be made by the visiting committee (2) of each asylum, with the consent of the local authority (3), and the visiting committee

officer or servant. (Section 17.) In Scotland the expression does not include an officer or servant who does not devote his whole time to the duties of his office (Section 18.) Subject to the foregoing note, every officer or servant employed in a permanent capacity and having the care or charge of the patients is an "established officer or servant." An officer or servant who, at the date of the commencement of this Act, is in the service of a Visiting Committee of an Asylum to which the Act applies, and contracts out under Sec. 20 (1), or who is not, or is not determined to be, an established officer or servant within the meaning of this Act remains subject to the provisions of the enactments repealed by this Act with respect to superannuation allowances of officers or servants in Asylums as if this Act had not been passed. (Section 20 (2).) As to officers and servants of Asylums appointed after the commencement of this Act who are not, or who are not determined to be, established officers or servants within the meaning of this Act, there will apparently be no power to superannuate them, as the provisions under which superannuation has been hitherto given are repealed, save as to officers and servants appointed before the date of the commencement of this Act.

(2). In the case of an Asylum provided or maintained by the Lancashire Asylums Board, "Visiting Committee" means the Board or a Visiting Committee appointed by the Board. (Sec. 17 (2).) In the case of an Asylum for Imbeciles provided or maintained by the Metropolitan Asylums Board, for references to the Visiting Committee references to the Board of Managers must be substituted. (Sec. 17 (3).) In Scotland "Visiting Committee" means a District Board under the Lunacy (Scotland) Acts (Sec. 18) and in Ireland a Committee or Joint Committee appointed under the Local Government (Ireland) Act, 1898 (Sec. 19).

(3). "Local Authority" is defined in Section 17. In the case of an Asylum provided by two or more Local Authorities,

shall affix in a conspicuous place in the asylum a notice with respect to such division into classes (4).

TITLE OF OFFICERS, SERVANTS, &C., TO SUPERANNUATION ALLOWANCES, AND SCALE THEREOF.

2. Subject to the provisions of this Act—

- (1) Any established officer or servant (5) of the first class (6) who has been in the service of an asylum for not less than twenty years, and is not less than fifty-five years old, (7) or who is permanently incapacitated for asylum duties after ten years'

apparently the consent of each Local Authority will be necessary.

(4). The Visiting Committee are also to affix in a conspicuous place in the Asylum the annual money value of the emoluments of each officer or servant. (See Section 16.)

(5). For the meaning of "established officer or servant" see Note (1).

(6). First class officers and servants are those officers and servants employed in a permanent capacity who have the care or charge of the patients in the usual course of their employment. Whether an officer or servant has the care or charge of the patients in the usual course of his employment is a question of fact but the decision of the Visiting Committee, if against the officer or servant, is not conclusive, as the decision will affect the conditions under which superannuation may be claimed, and therefore an appeal will lie under Section 15. Most officers and servants in an Asylum have the charge or care of patients. Clearly this is so in the case of the medical staff, the matron or housekeeper, nurses, and attendants. The steward, farm bailiff, laundress, baker, tailor, shoemaker, engineer, joiner, and other officers and servants have also the charge or care of the patients in all cases where patients are usually employed in the offices, on the farm, in the laundry, bakehouse, workshop, boilerhouse, electric lighting station, and stables.

(7). An officer or servant of the first class who has twenty years' service, and has attained the age of 55, is entitled, on resigning or otherwise ceasing to hold office or employment, to superannuation, though he is not permanently incapacitated.

service (8) by injury or illness, mental or bodily, medically certified and not attributable to his own misconduct, (9) shall be entitled, on resigning or otherwise ceasing to hold office or employment, to receive during life or incapacity (10) a superannuation allowance, the annual amount of which shall be computed at the rate of one fiftieth of his

(8). Where the officer or servant has not ten years' service reference should be made to Sub-section (4).

(9). Where an established officer or servant ceases to hold office in consequence of grave misconduct reference should be made to Section 5. If superannuation has been awarded and the pensioner is guilty of treason or felony it is provided *inter alia* by the Forfeiture Act, 1870 (33 and 34 Vict., c. 23), that if any person shall be convicted of treason or felony for which he shall be sentenced to death or penal servitude, or any term of imprisonment with hard labour, or exceeding twelve months, and such person at the time of conviction shall be entitled to any pension or superannuation allowance payable by the public or out of any public fund, such pension or superannuation allowance shall forthwith determine and cease to be payable unless such person shall receive a free pardon from His Majesty within two months after such conviction. Payment of superannuation under this Act, it is submitted, would be held to be payment out of a public fund within the meaning of the statute. It will be noted that the statute does not extend to convictions for misdemeanours or offences punishable on summary conviction.

(10). This would appear to contemplate that the incapacity may not be "permanent." As to the duty of the Visiting Committee in cases where superannuation is granted on the ground of incapacity, see Section 3.

Under the Poor Law Officers' Superannuation Act, 1896, cases have arisen since the passing of the Workmen's Compensation Act, 1906, in which an officer or servant has become entitled to compensation under the Act for injuries received, and, at the same time, having tendered his resignation, has also become entitled to superannuation. It is therefore necessary to consider what effect, if any, the Workmen's Compensation Act has upon the benefits given by this Act. It is submitted that the benefit given by the Compensation Act is cumulative

salary or wages and emoluments (11) for each completed year of service :

- (2) Any established officer or servant of the second class (12) who has been in the service of an asylum for not less than twenty years and is not less than sixty years old, (13) or who is permanently incapacitated for asylum duties after ten years' service by injury or illness, mental or bodily, medically certified and not attributable to his own misconduct, shall be entitled, on resigning or otherwise ceasing to hold office or employment, to

upon that given by this Act, and that the benefits under the one Act will be enjoyed irrespective of the benefits conferred by the other. It is also submitted that the amount of compensation which an officer or servant may become entitled to under the Compensation Act will not be diminished by the amount of superannuation he may receive, as payments under this Act cannot be deemed to be payments under the Compensation Act.

(11). As to the meaning of "emoluments" see Section 16 and on reckoning service Section 6. The gross amount of the salary or wages of an officer or servant must be taken into account and no deduction made from such gross amount in respect of disbursements which the officer or servant is required to make either by statute or by the conditions of his appointment. For example, in the case of a clerk to the Visiting Committee employing his own assistants, no deduction can be made from the gross amount of the clerk's salary for his disbursements for his assistants.

(12). An established officer or servant of the second class is an officer or servant employed in a permanent capacity, not having the care or charge of patients in the usual course of his employment, whom the Visiting Committee of the Asylum shall, by resolution, determine to be an established officer or servant. (Section 17.) In Scotland the officer or servant must devote his whole time to the duties of his office (Sec. 18).

(13). An established officer or servant of the second class who has not less than twenty years' service, and is not less than sixty years of age, is entitled to superannuation for life, though not permanently incapacitated.

receive during life (14) a superannuation allowance the annual amount of which shall be computed at the rate of one sixtieth of his salary or wages and emoluments (11) for each completed year of service :

- (3) The visiting committee of any asylum may, in computing the amount of superannuation allowance to any (15) established officer or servant, take into account any peculiar professional qualifications or services or special circumstances entitling to consideration and, with the consent of the Secretary of State, add a number of years not exceeding ten to the number of

(14). An established officer or servant permanently incapacitated for Asylum duties by injury or illness not attributable to his own misconduct may retire on superannuation after ten years' service. There is no suggestion in this sub-section that the incapacity may come to an end, but see Section 3.

(15). *I.e.*, to established officers or servants of either class. There are instances where for the due and efficient discharge of the duties of certain offices professional or other special qualifications are essential, and where the persons having such qualifications have been appointed after they have attained the age of thirty years. The provision in the section is intended for these cases. On an almost identical provision in the Poor Law Officers' Superannuation Act, 1896, the Local Government Board have from time to time held that the addition of years must be complete years; *e.g.*, five years may be added, but not five and a half years. They have also held that old age and physical unfitness cannot be regarded as special circumstances, and that the special circumstances contemplated must be something more than the circumstances without which an officer or servant would not be entitled to superannuation at all; such, for instance, as exceptional efficiency and faithfulness in the performance of duties. The addition of years will require the consent, in the case of an Asylum provided by the Metropolitan Asylums Board, of the Local Government Board (Section 17 (3)); in Scotland, of the General Board of Commissioners in Lunacy (Section 18); and in Ireland of the Lord-Lieutenant (Section 19).

years which the officer or servant has actually served in the aggregate :

- (4) Where an established officer or servant of an asylum is injured—(16)

(a) in the actual discharge of his duty ; and

(b) without his own default ; and

(c) by some injury specifically attributable to the nature of his duty ;

and is permanently incapacitated for asylum duties as the result of such injury, the visiting committee of such asylum may grant to him such gratuity or special superannuation allowance (17) as they may consider reasonable :

Provided that a superannuation allowance shall not in any case exceed two-thirds (18) of the salary or wages and emoluments (11) of the superannuated person, and a gratuity granted under this section shall not exceed one year's salary or wages and emoluments of the person to whom it is granted.

DUTY OF VISITING COMMITTEE IN CASES WHERE SUPERANNUATION ALLOWANCES ARE GRANTED ON GROUND OF INCAPACITY.

3.—(1) Where an established officer or servant is entitled to receive, or is granted a superannuation allowance, on the ground of incapacity for the per-

(16). This is a provision for established officers or servants of either class with less than ten years' service.

(17). The power to award a gratuity or special superannuation is optional. On the duty of the Visiting Committee, when superannuation is given, to satisfy themselves that the incapacity continues until the power of requiring an officer or servant to serve again ceases, see Section 3.

(18). The limitation of one-fiftieth or one-sixtieth of the

formance of his duty, (19) the visiting committee of the asylum shall, yearly or otherwise, until the power under this Act of requiring such officer or servant to serve again ceases, (20) satisfy themselves that the incapacity continues, and, unless they resolve that such evidence is unnecessary, shall satisfy themselves by the evidence of a legally qualified medical practitioner selected by the visiting committee.

(2) In the event of the incapacity ceasing before the time at which the officer or servant would if he had continued to serve have been entitled without a medical certificate to retire and receive a superannuation allowance for life, the visiting committee of the asylum may cancel his superannuation allowance and require him to serve again in the asylum at a rate of pay and emoluments (if any) not less than the rate which he received before his retirement.

(3) Where an established officer or servant so serves again, the provisions of this Act as to retirement and superannuation allowances, gratuities, and contributions shall apply as if he had not previously retired, save that the time which elapsed between his former retirement and the commencement of his service again shall not be reckoned as service (21).

salary or wages and emoluments for each completed year of service does not apply to cases of special superannuation.

(19). See Section 2 (1), (2), and (4).

(20). *I.e.*, when the officer or servant becomes entitled to superannuation under Section 2 (1) on the ground of having twenty years' service and being more than 55 years of age, or under sub-section (2) of that section having the same service and being more than 60 years of age.

(21). The period during which superannuation was received is to be deducted in reckoning service. It is not clear whether the officer or servant could insist upon returning to his old position, but it is clear that his remuneration could not be less than formerly.

POWER TO GRANT GRATUITIES TO DEPENDANTS IN CASE
OF DEATH OF OFFICER OR SERVANT.

4. It shall be competent for the visiting committee with the consent of the local authority (22) to grant at their discretion, (23) and on such terms as they think fit—

- (a) In the case of an established officer or servant dying while in the service of the asylum who, if he had retired at the time of his death, would have been entitled to a superannuation allowance, (24) a gratuity to his widow or children; and
- (b) In the case of an established officer or servant dying (whilst in the service of the asylum) to whom, if he had survived, a special superannuation allowance might have been granted, (25) an annual allowance or a gratuity to his widow or children :

Provided that a gratuity granted under this section shall not exceed his total contributions, or one year's salary or wages and emoluments, whichever is the larger amount, and that an annual allowance granted under this clause shall not exceed two-thirds of his salary or wages and emoluments.

FORFEITURE FOR FRAUD, &c.

5. An established officer or servant who is dismissed or resigns or otherwise ceases to hold office in

(22). See Note (3).

(23). This provision is optional.

(24). See Section 2 (1) and (2). Whenever an officer or servant who might retire on superannuation dies in active service, the Visiting Committee may exercise the power here vested in them.

(25). See Section 2 (4). In these circumstances the Visiting

consequence of any offence of a fraudulent character or of grave misconduct, shall forfeit all claim to any superannuation allowance under this Act in respect of his previous service, provided that the visiting committee of the asylum in which he was last employed (26) may in special cases, if they see fit, return a sum equal to the amount of all or part of his aggregate contributions under this Act (27).

RECKONING SERVICE.

6. Subject as herein-after provided all services by an established officer or servant in an asylum shall be aggregated and reckoned for the purposes of this Act, whether the services have been continuous or not, and whether they have been rendered at one or more asylums: Provided that, where an officer or

Committee, with the consent of the Local Authority, may award to the widow or children of the deceased officer or servant an annual allowance, without limitation of time, equal to what might have been given to the deceased if he had not died.

(26). The consent of the Local Authority is not required.

(27). "Aggregate contributions" will include contributions under this Act paid while an officer or servant in an Asylum other than the institution where the officer or servant is guilty of an offence of a fraudulent character or of grave misconduct. The fact that an officer or servant is called upon to resign does not necessarily constitute the case one of a fraudulent character or necessarily imply that the officer or servant has been guilty of grave misconduct. Incompetence may be a sufficient reason for calling for resignation, but mere incompetence cannot, and even negligence may not, amount to grave misconduct. In a case under a similar provision in the Poor Law Officers' Superannuation Act, 1896, an officer was directed by the Local Government Board to place his resignation in the hands of the Guardians in consequence of shortcomings in the discharge of his duties. This he did, and then applied for a superannuation allowance. The Guardians deemed the case to be one of grave misconduct. The Local Government Board, however, were of opinion that the Guardians were not justified in inferring that by calling

servant of an asylum has removed (28) to another asylum, not being an asylum provided by the same local authority, (29) his services in the first asylum shall not be so aggregated and reckoned unless they amount to at least two years' service, and, in the case of an officer or servant who has removed to another asylum after the commencement of this Act, unless he has removed with the written sanction of the visiting committee of the asylum from which he removed.

CASE OF SUBSEQUENT APPOINTMENT.

7. If an established officer or servant, in receipt of superannuation allowance under this Act, is appointed to any office or employment by any authority to which this Act applies, or to an office or employment remunerated out of money provided by Parliament, or out of a county or borough rate or fund, or out of any parochial, district, or other rate, he shall not, while holding that office or employment, receive more of the superannuation allowance than, together with the remuneration of that office or employment, is equal to the remuneration of the office

upon the officer to resign the Board regarded the case as one falling within the provision, and suggested that the Guardians should reconsider the question of awarding superannuation.

(28). *I.e.*, before the commencement of this Act.

(29). "Local Authority" is defined in Section 17. In cases of removal, service of less than two years is not to count. Nor after the commencement of this Act will service of two years count unless the established officer or servant removing has the written sanction of the Visiting Committee of the Asylum from which he removes. In these cases (future removals) it would appear that service must be continuous. The sanction is not to the leaving of an Asylum but removal to another. In one or two Asylums the authorities have in the past required the staff to sign an admission that they were not to expect superannuation, but in these cases there

or employment in respect of which the superannuation allowance was awarded. (30).

Any such person on ceasing to hold such office or employment shall be entitled to revert to and receive the full amount of his original superannuation allowance from the visiting committee which granted it.

CONTRIBUTION.

OBLIGATION OF OFFICERS AND SERVANTS TO CONTRIBUTE.

8. Subject to the provisions of this Act, every established officer and servant (31) employed in an asylum shall contribute annually, for the purpose of this Act, a percentage amount of his salary or wages and emoluments, according to the scale laid down in this Act (32), such amount to be from time to time deducted from the salary or wages payable to him (33) and to be carried to and to form part of the fund

can be no doubt that the established officers and servants (who will have to pay a higher contribution in consequence of past service) will be entitled to count such service. The admissions could not anticipate the passing of this Act, nor prejudice under it the persons signing them.

(30). The effect of this section is that a superannuated officer or servant cannot by taking an office or employment which is remunerated out of moneys provided by Parliament or out of any public rate obtain more (including his superannuation allowance) remuneration than he was in receipt of at the time of his superannuation.

(31). As to the meaning of "established officer or servant" see Note (1).

(32). See next section.

(33). Where payments are made monthly or quarterly a proportionate deduction should be made from each payment. In the case of weekly wages, it may be more convenient to make the deduction, say, every fourth week. If an officer or servant dies in service, deduction must be made in respect of payment of remuneration up to the date of death, though the payment be not made until after death.

(34) from which the superannuation allowances are to be paid (35).

SCALE OF CONTRIBUTIONS.

9. The percentage amounts to be deducted annually for the purposes of this Act shall be as follows (that is to say) :—

In the case of officers and servants with less than five years' service at the passing of this

(34). *I.e.* The fund out of which the salary or wages is paid (Section 12).

(35). The question will arise whether these contributions may be deducted from the salary of an officer in determining the amount at which he should be assessed for the purpose of the Income Tax Acts. It was decided in a Divisional Court in *Beaumont v. Bowers* (1900), 2 Q.B. 204; *Poor-Law Officers' Journal*, May 18th, 1900, that contributions under Section 12 of the Poor-Law Officers' Superannuation Act, 1896, are to be deducted from the salary of an officer in determining the amount at which he should be assessed for the purpose of the Income Tax Acts. In that case the appellant claimed that he was entitled to deduct the sum of £15 10s., being the amount of his annual contribution under the Act, and he based the claim on the words in Section 146 of the Income Tax Act, 1842 (5 and 6 Vict. c. 35), which provide that the duties shall be annually charged on the persons exercising the offices or employments of profit mentioned in the Schedule for all salaries, fees, wages, perquisites, or profits accruing by reason of such offices or employments, "after deducting the amount of duties or other sums payable or chargeable on the same by virtue of any Act of Parliament where the same have been really and bona-fide paid and borne by the party to be charged." The Court (Ridley and Darling, JJ.) held that the deduction claimed by the appellant ought to be allowed; Darling, J., in the course of his judgment, saying: "It is plain from the Act of 1896 that the appellant might never get any benefit from his contributions, for he might die, or other circumstances might arise which would render it impossible for him to get any benefit, so that if this deduction were not allowed he might be charged on a sum which would never be received, and might have to pay income tax on money which would never reach him. It is plain that the words 'duties or other sums payable or chargeable on the

Act (36), two per cent. of the salary or wages and emoluments for each year ;

In the case of officers and servants with more than five and less than fifteen years' service at the passing of this Act (36), two and a half per cent. of the salary or wages and emoluments for each year ;

In the case of officers and servants with more than fifteen years' service at the passing of this Act, or appointed after the passing of this Act (36), three per cent. of the salary or wages and emoluments for each year.

RETURN OF CONTRIBUTIONS IN CERTAIN CASES.

10.—(1) An established officer or servant who has not become entitled to a superannuation allowance, and who loses his office or employment by reason of reduction of staff, or of any other cause whatever other than his own misconduct or voluntary resignation, shall be entitled to receive the aggregate amount of his contributions under this Act (37).

same,' in their natural sense, would include the contribution made in the present case, and I do not see how we can narrow the words so as to exclude it." The decision has since been disapproved by the Court of Appeal in *Hudson v. Gribble*; *Bell v. Gribble* (1903), 1 K.B. 517, but, though disapproved, the case has not been overruled, and there are material differences between the latter cases which arose under a " Thrift Fund " instituted by the Manchester Corporation, under their Act of 1891, and cases arising under this Act.

(36). 3rd day of December, 1909.

(37). The return of contributions is obligatory. On a similar provision in the Poor-Law Officers' Superannuation Act, 1896, the Local Government Board have given decisions to the following effect :—

- (a) A resignation is not voluntary when it is necessitated by illness.
- (b) Where an officer's appointment expires by effluxion of

(2) The visiting committee of an asylum may (38), if they think fit, repay to any female officer or servant leaving to be married after not less than three years' service, the amount of her contributions under this Act, provided that within three months after leaving she produces to the visiting committee her marriage certificate.

(3) If an officer or servant who has received his contributions under this section subsequently obtains a fresh office or employment in an asylum, he shall not be entitled to reckon his service before obtaining such fresh office or employment towards a superannuation allowance under this Act, unless, upon obtaining such fresh office or employment, he repays the amount so received to the visiting committee from whom he received it (39). ✓

time, he is entitled to the return of his contributions.

- (c) Where contributions are returned, the whole amount, including contributions made when serving under another authority, is payable by the authority the officer or servant is serving when he loses his office or employment.

It will be necessary that the accounts of the Asylum should show clearly what sums are deducted in the case of each officer or servant as, under the circumstances mentioned, the officer or servant will be entitled to have the amount of his contributions returned to him.

(38). The consent of the Local Authority is not required by this Act.

(39). On reckoning service see Section 6. Where an officer or servant removes without the written sanction of the Visiting Committee of the Asylum from which he removes, repayment of contributions returned to him will not entitle him to reckon the service.

MISCELLANEOUS.

PROVISION FOR RETIRING OFFICERS AND SERVANTS IN CERTAIN CASES.

11. When an established officer or servant of the first class (40) has attained the age of fifty-five, or an established officer or servant of the second class (41) has attained the age of sixty, and the visiting committee of the asylum in which he is employed are of opinion that his retirement would be expedient in the interests of the service, it shall be competent for them to require him to retire upon payment to him of the superannuation allowance to which he may be entitled under this Act (42) :

Provided that nothing in this section shall prejudice the existing right of any visiting committee to dismiss any officer or servant employed in an asylum, or to reduce him to a lower rate of pay, or shall prevent his claim to superannuation allowance from being refused in any case where under this Act a claim to superannuation allowance is forfeited (43).

PAYMENT OF ALLOWANCES AND GRATUITIES.

12. Every superannuation allowance or gratuity under this Act shall be paid by the visiting committee of the asylum in which the officer or servant to whom, or to whose widow or children (44), the

(40). See Note (6).

(41). See Note (12).

(42). This provision has no application to an officer or servant who contracts out under Section 20, but probably the point is not of importance having regard to the proviso to this section. In its application to an established officer or servant who is an existing officer within the meaning of the Local Government (Ireland) Act, 1898, the approval of the Lord-Lieutenant is required (Section 19).

(43). See Section 5.

(44). See Section 4.

superannuation allowance or gratuity is payable was employed at the time of his superannuation or death, and shall be paid out of the fund out of which the salary or wages and emoluments of the officer or servant is or has been paid (45), and the weekly sum fixed by the visiting committee under section 283 of the Lunacy Act, 1890 [53 and 54 Vic. c. 5] (46), shall be of such amount that the total of such weekly sums shall be sufficient to pay all such superannuation allowances or gratuities in addition to the expenses of maintenance and salaries payable out of such sums under that section :

Provided that, where an established officer or servant of an asylum has removed to some other asylum under such circumstances as entitle him to aggregate his services in such first mentioned asylum (47) with his services in such last mentioned asylum and in due course becomes entitled to and is awarded a superannuation allowance, the visiting committee in whose service he then is shall be entitled to call upon the other visiting committee or committees with whom he shall have served, and they shall contribute a proportionate part of the superannuation allowance to such officer or servant reckoned according to the service and pay (48) of such officer or servant during his service in such asylum, and the said proportionate part shall be settled by agreement between the visiting committees, or in default of agreement, by the Secretary of State (49).

(45). Maintenance or Building Fund as the case may be.

(46). This is the weekly sum charged to Boards of Guardians for maintenance of pauper patients. The section is involved if not contradictory; apparently superannuation allowances charged upon the Building Fund are to be taken into account in determining the weekly maintenance charge.

(47). See Section 6.

(48). Including emoluments.

(49). In the case of an Asylum provided by the Metropolitan

SAVING OF LIABILITIES IN RESPECT OF CONTRIBUTIONS TO ALLOWANCES.

13. Where, by virtue of any award made under section 62 of the Local Government Act, 1888 [51 and 52 Vict. c. 41], or section 244 of the Lunacy Act, 1890 [53 and 54 Vict. c. 5], any liability is imposed on any county council or the council of any county borough to contribute to any superannuation allowances granted to any officer or servant of an asylum, such liability shall, unless and until otherwise provided by subsequent award, agreement, or otherwise, continue in the same manner and to the same extent as if this Act had not been passed: Provided that any sums payable under any such award in respect of superannuation allowances granted under this Act shall be paid to the visiting committee of any such asylum in lieu of the county council or the council of any county borough to whom the same would otherwise be payable (50).

ASSIGNMENT.

14. The following provisions shall have effect with respect to every superannuation allowance (51),

Asylums Board by the Local Government Board (Section 17 (3)): in Scotland by the General Board of Commissioners in Lunacy (Section 18); and in Ireland by the Lord-Lieutenant (Section 19).

(50). The sections referred to relate to adjustments of property and liabilities between councils of counties and county boroughs. This Act is not to affect any existing award requiring a county council, or the council of any county borough, as the case may be, to contribute to any superannuation allowance granted to any officer or servant of an Asylum, save that any sum payable under any such award in respect of superannuation allowances granted under this Act are to be paid to the Visiting Committee of the Asylum.

(51). See Section 2 (1), (2) and (4).

allowance (52), and gratuity (53) (in this section referred to as a "grant") payable by the visiting committee of an asylum to any person (in this section referred to as the "pensioner") :—

- (1) Every assignment of and charge on a grant, and every agreement to assign or charge a grant, shall, except so far as made for the benefit of the family of the pensioner, be void, and on the bankruptcy of the pensioner the grant shall not pass to any trustee or other person acting on behalf of the creditors (54) :
- (2) Where any parochial (55) relief is given to a pensioner or to anyone whom he is liable to maintain (56), the visiting committee of an

(52). See Section 4 (b).

(53). See Sections 2 (4) and 4 (a), (b).

(54). The following provision contained in Section 53 of the Bankruptcy Act, 1883 (46 and 47 Vict. c. 52), has, therefore, no application to grants under this Act :—"Where a bankrupt . . . is entitled to any half-pay or pension, or to any compensation granted by the Treasury, the Court, on the application of the trustee, shall from time to time make such order as it thinks just for the payment of the salary, income, half-pay, pension, or compensation, or of any part thereof, to the trustee, to be applied by him in such manner as the Court may direct."

(55). In Ireland "union" relief (Sec. 19).

(56). In England and Wales the liability to maintain is as follows :—A man of sufficient ability is liable to maintain his father, mother, legitimate children and grandchildren, provided that the pauper is poor, old, blind, lame, or impotent (Poor Relief Act, 1601, Section 7, as amended by the Poor Law Amendment Act, 1868, Section 36). Also, a man who marries a woman having a child or children at the time of marriage, whether such child or children be legitimate or illegitimate, is liable to maintain such child or children as part of his family, and is chargeable with all relief granted to or on account of such child or children, until such child or children shall respectively attain the age of 16 or until the death of the mother (Section 57 Poor Law Amendment Act, 1834). A man is

asylum may pay the whole or any part of the grant to the guardians or other authority giving the relief, and the same, when so paid, may be applied in repayment of any sums expended in such relief, and, subject thereto, shall be paid or applied by the guardians or other authority to or for the benefit of the pensioner :

- (3) If the pensioner neglects to maintain any person whom he is liable to maintain (57), the visiting committee of an asylum may in their discretion pay or apply the whole or any part of the grant to or for the benefit of that person :
- (4) If the pensioner appears to the visiting committee of an asylum to be insane or

further liable to repay relief given to his wife (Section 33 of the Poor Law Amendment Act, 1868), and to maintain or contribute towards the maintenance of his pauper lunatic wife (Section 5 Poor Law Amendment Act, 1850). A woman, so long as she shall be unmarried or a widow, is bound to maintain her bastard child until such child shall attain the age of 16 years or, if a female, marry before that age (Section 71 of the Poor Law Amendment Act, 1834). An unmarried woman or widow of sufficient ability is liable to maintain her father or mother, and a widow is also liable to maintain her legitimate children, provided in each case that the pauper is poor, old, blind, lame, or impotent (Poor Relief Act, 1601, Section 7, as amended by the Poor Law Amendment Act, 1868, Section 36). A married woman having separate property is (1) subject to all such liability for the maintenance of her children and grandchildren as her husband is (Section 21 of the Married Women's Property Act, 1882); (2) liable for the maintenance of her pauper husband (Section 20 of the Married Women's Property Act, 1882), and (3) for the maintenance of her father and mother (Married Women's Property Act, 1908). The receipt of the person to whom the payment is made is a good discharge (Sub-section (7) of this Section).

(57). See last preceding note. It does not appear to be necessary that the person whom the pensioner is liable to maintain should become chargeable to the rates for the Visiting

otherwise incapacitated to act, the visiting committee of the asylum may pay so much of the grant as the visiting committee of the asylum think fit to the institution or person having the care of the pensioner, and may pay the surplus (if any) or such part thereof as the visiting committee think fit for or towards the maintenance and benefit of the wife or relatives (58) of the pensioner :

- (5) On the death of a pensioner to whom a sum not exceeding one hundred pounds is due on account of a grant, then, if the visiting committee of the asylum so direct, probate or other proof of the title of the personal representative of the deceased may be dispensed with, and the sum may be paid or distributed to or among the persons appearing to the visiting committee of the asylum to be beneficially entitled to the personal estate of the deceased pensioner, or to or among any one or more of those persons (59), or, in case of the illegitimacy of the deceased pensioner, to or among such persons as the visiting committee of the

Committee to exercise this power. The grant or any part of it may be paid direct to the person whom the pensioner neglects to maintain. The receipt of such person will be a good discharge (Sub-section (7) of this Section).

(58). The words "liable to maintain" in the two preceding Sub-sections are not repeated, and it may be that the Visiting Committee may pay any surplus for or towards the maintenance and benefit of, say, a brother or sister of the pensioner. As to receipt being a good discharge, see Sub-section (7) of this Section.

(59). Very wide powers are here given to the Visiting Committee. They may apparently exclude from participation persons lawfully entitled to participate in the distribution of the personal estate of the deceased pensioner.

asylum may think fit, and the visiting committee of the asylum and any officer of the visiting committee making the payment, shall be discharged from all liability in respect of any such payment or distribution :

- (6) Any sum payable to a minor on account of a grant may be paid either to the minor or to such person and on such conditions for the benefit of the minor as to the visiting committee of the asylum seems expedient (60) :
- (7) Where a payment is made to any person by the visiting committee of an asylum in pursuance of this section, the receipt of that person shall be a good discharge for the sum so paid :
- (8) The visiting committee of an asylum may, with the consent of the Secretary of State (61), make rules with respect to declarations to be taken for any purpose relating to grants payable by them, and, while any such rules so made are in force, a person shall not be entitled to receive any sums in respect of a grant payable by such visiting committee until any declaration required by those rules has been made (62). Any

(60). The next Sub-section enacts that the receipt of the person to whom the payment is made shall be a good discharge.

(61). In the case of an Asylum provided by the Metropolitan Asylums Board, the Local Government Board (Sec. 17 (3)) ; in Scotland the General Board of Commissioners in Lunacy (Section 18), and in Ireland the Lord Lieutenant (Section 19).

(62). Visiting Committees will probably deem it prudent to make rules requiring pensioners who do not attend in person to receive their allowances to make declarations of being alive on the dates when allowances fall due, and for the attesting of such declarations. As to evidence that incapacity con-

person who makes a wilful misstatement of material fact in any such declaration shall be liable on summary conviction to a fine not exceeding fifty pounds or to imprisonment with or without hard labour not exceeding three calendar months.

APPEAL IN CASES OF DISPUTE.

15. In the case of any dispute as to the right to superannuation allowance of any officer or servant of an asylum, or as to the amount of the superannuation allowance to which any such officer or servant is entitled, such dispute shall be determined by the Secretary of State (63), whose decision shall be final.

SALARY OR WAGES AND "EMOLUMENTS."

16. The salary or wages and emoluments of an established officer or servant (64) shall, for the purpose of computing the amount of a superannuation allowance or gratuity, be calculated according to the average amount of his salary or wages and emoluments during the ten years ending on the quarter day which immediately precedes the day on which he ceases to hold his office or employment, or,

tinues when superannuation is awarded on that ground, see Section 3

(63). In the case of an Asylum provided by the Metropolitan Asylums Board, the Local Government Board (Sec. 17 (3)); in Scotland, the General Board of Commissioners in Lunacy (Sec. 18), and in Ireland, the Lord Lieutenant (Sec. 19). The section is imperative; there can be no refusal to act, and, the decision being final, an action will apparently not lie. The question will no doubt be raised whether this right of appeal is limited to disputes arising under this Act. The point is not free from doubt, but the opinion is expressed that the section is not so limited. It will be noted that the word "established" is not used before the word "officer."

(64). As to meaning of words see Note (1).

in the case of an officer or servant with less than ten years' service, on the average amount during his whole period of service; and the expression "emoluments" includes all fees, poundage and other payments made to any established officer or servant as such for his own use, and also the money value of any apartments, rations, or other allowances in kind appertaining to his office or employment (65).

The annual money value of all such fees, poundage and other payments, apartments, rations, or other allowances in kind shall be set out in a schedule to be prepared by the visiting committee of every

(65). The question is sure to arise whether the value of the emoluments has been fairly estimated by the Visiting Committee. Under the Poor Law Officers' Superannuation Act, 1896, the Local Government Board, in determining on appeal the superannuation allowance of an officer, have frequently valued the emoluments at a higher figure than the Board of Guardians. If an established officer or servant should deem his emoluments worth more than the value placed upon them by the Visiting Committee, he can raise the question by an appeal under Section 15. Many questions have been raised under the said Act as to what are emoluments, and the experience of the working of that Statute may be helpful in construing this.

To determine whether any given payment to an officer or servant is an emolument within the meaning of this Act, it is sufficient to answer the questions—Is the payment made to the officer or servant for services rendered by him in the office or employment he holds, and is it for his own use? It is submitted that payments to an officer or servant which are earmarked to meet specific expenses of the officer or servant cannot be regarded as emoluments.

Gratuities to officers and servants for services rendered by them in their office or employment are emoluments within the meaning of this Act, but not remuneration to an officer or servant acting as a temporary substitute for another. Under the Poor-Law Officers' Superannuation Act, an officer had become incapacitated from attending to his duties in person; another officer was entrusted with the performance of the work, and special remuneration was assigned to him for such work. The Local Government Board decided that remuneration paid to an officer acting as a sub-

asylum and affixed in a conspicuous place in the asylum.

INTERPRETATION.

17.—(1) In this Act, if not inconsistent with the context,—

“Asylum” means (1) an asylum for lunatics provided by a county or borough, or by a union of counties or boroughs; (2) a Metropolitan Asylums Board asylum for imbeciles (66);

“Established officer or servant” means such officer or servant employed in a permanent capacity as has the care or charge of the patients or whom the visiting committee of an asylum shall by resolution determine to be an established officer or servant (67);

“Local Authority” means the local authority by which an asylum is provided, or, in the case of an asylum provided by two or more local authorities, those local authorities (68),

stitute could not properly be regarded as an emolument arising from his own office, and, therefore, it was not an emolument from which a deduction should be made under the Act. Under the last-mentioned Act only the emoluments of offices or employments actually held by an officer or servant at the time of his retirement can be taken into account in calculating the average amount of the salary or wages and emoluments of the officer or servant. The Law Officers of the Crown in 1898 advised that any emoluments incidental to offices or employments held by the officer or servant at the time of his retirement should be included, but not emoluments of distinct offices which the officer or servant has ceased to hold.

(66). For the meaning of “Asylum” in Scotland see Section 18, and in Ireland Section 19. For provisions affecting officers and servants of the Metropolitan Asylums Board reference may be made to Section 20 (1).

(67). On this reference may be made to Note (1).

(68). This does not apply in Scotland (Section 18) or Ireland (Section 19).

and, in the case of an asylum provided by the Lancashire Asylums Board, that Board.

(2) In the case of an asylum provided or maintained by the Lancashire Asylums Board, for references in this Act to the visiting committee of an asylum there shall be substituted references to that Board, or a visiting committee appointed by that Board, as the case may be.

(3) In the case of an asylum for imbeciles provided or maintained by the Metropolitan Asylums Board, for references in this Act to the visiting committee of an asylum there shall be substituted references to the Board of Managers of the Metropolitan Asylums District, and for references to the Secretary of State (69) there shall be substituted references to the Local Government Board.

APPLICATION TO SCOTLAND.

18. This Act shall come into operation in Scotland on the fifteenth day of May nineteen hundred and ten, and, if not inconsistent with the context, in the application of this Act to Scotland—

“Asylum” means a district asylum, and “visiting committee” means a district board within the meaning of the Lunacy (Scotland) Acts, 1857 to 1887;

References to the General Board of Commissioners in Lunacy for Scotland shall be substituted for references to the Secretary of State and also for references to the local authority.

A reference to the weekly charge for pauper lunatics fixed and approved from time to time

(69). See Sections 2 (3), 12 and 15.

pursuant to section 73 of the Lunacy (Scotland) Act, 1857 [20 and 21 Vict. c. 71], shall be substituted for the reference to the weekly sum fixed by the visiting committee under section two hundred and eighty-three of the Lunacy Act, 1890 (70) ;

The expression “established officer or servant” has the meaning in this Act assigned thereto, but shall not include an officer or servant who does not devote his whole time to the duties of his office (71) :

Provided that this Act shall apply to the Greenock parochial asylum and the Kirklands asylum as if they were district asylums, and the respective managing bodies thereof were district boards.

APPLICATION TO IRELAND.

19. In the application of this Act to Ireland—

“Asylum” means a district or auxiliary asylum ;

References to the Lord Lieutenant shall be substituted for references to the Secretary of State ;

References to local authorities shall not apply ;

References to a committee or a joint committee, as the case may be, appointed under section nine of the Local Government (Ireland) Act, 1898 [61 and 62 Vict. c. 37], shall be substituted for references to a visiting committee.

The reference to parochial relief shall be construed as a reference to union relief (72).

A requirement to retire under section eleven of

(70). See Section 12.

(71). See Note (1).

(72). See Section 14 (2).

this Act shall, in its application to an established officer or servant who is an existing officer within the meaning of the Local Government (Ireland) Act, 1898, be subject to the approval of the Lord Lieutenant.

REPEALS.

20.—(1) The enactments specified in the schedule to this Act are hereby repealed to the extent specified in the third column thereof, subject to this qualification, that this repeal shall not affect the payment of any superannuation allowance granted before the commencement of this Act.

Any established officer or servant employed in an asylum at the date of the commencement of this Act (73) may, at any time within three months after the commencement of this Act, signify in writing to the visiting committee of the asylum his intention not to avail himself of the provisions of this Act (74), and in that event it shall not be obligatory on him, notwithstanding anything in this Act contained (75), to make any contribution, or submit to any deduction

(73). 1st April, 1910, save in Scotland where the Act comes into operation on the 15th May, 1910 (Sections 21 and 18).

(74). The notice may be in the following form, or to the like effect :—

ASYLUMS OFFICERS' SUPERANNUATION ACT, 1909.

To the Visiting Committee of the
Asylum.

I hereby give you notice that I elect not to avail myself of the provisions of the Asylums Officers' Superannuation Act, 1909.

Dated this.....day of

(Signed)

(75). Sections 8 and 9.

from his salary or wages, under this Act, nor shall he be entitled to receive any superannuation allowance, gratuity, or other benefit under this Act; but any such established officer or servant of an asylum who has given such notice as aforesaid shall remain subject to the provisions of the enactments repealed by this Act or, in the case of an officer or servant of the Metropolitan Asylums Board to the Poor Law Officers' Superannuation Act, 1896 [59 and 60 Vict. c. 50], with respect to the superannuation allowances of officers and servants in asylums as if this Act had not been passed (76). After the expiration of three months from the commencement of this Act (77), the Poor Law Officers' Superannuation Act, 1896, shall cease

(76). In many Asylums schemes of superannuation are in force, and clearly an existing officer or servant who is, or who is determined to be, an established officer or servant, may contract out of this Act without prejudice to his rights under any such scheme. Officers and servants who are not, or who are not determined to be, established officers or servants, will continue subject to any such scheme which may be in operation, but for this class of officer and servant entering upon duty after the commencement of this Act there cannot be any superannuation from an Asylum. The effect of contracting out in cases where there is no scheme in operation cannot be too seriously considered before any decision to contract out is made and acted upon. An officer or servant who contracts out cannot subsequently by any lawful means obtain any benefit under this Act. Leaving the Asylum where he contracted out and forfeiting his service there will be of no avail. The step, once taken, cannot be revoked. But the Visiting Committee, in case of officers and servants contracting out, may grant such superannuation allowances as they could before the passing of this Act, and it is submitted that they ought not, in the case of old officers and servants who contract out, to depart from their previous practice as to superannuation.

Metropolitan Asylums Board officers and servants within the Poor-Law Officers' Superannuation Act, 1896, who contract out of this Act will remain subject to the former.

(77). 1st April, 1910.

to apply to any established officer or servant (78) employed in an asylum who has not, in the manner provided by this section, signified his intention not to avail himself of the provisions of this Act (79).

(2) Any officer or servant of the asylum who is at the date of the commencement of this Act in the service of a visiting committee of an asylum to which this Act applies, and who is not, or is not determined to be, an established officer or servant within the meaning of this Act, shall remain subject to the provisions of the enactments repealed by this Act with respect to the superannuation allowances of officers and servants in asylums as if this Act had not been passed (80).

SHORT TITLE AND COMMENCEMENT OF ACT.

21. This Act may be cited as the Asylums Officers' Superannuation Act, 1909, and, except in Scotland, shall come into operation on the first day of April nineteen hundred and ten.

(78). See Note (1).

(79). If the Board of Managers shall not determine all their officers and servants to be established officers or servants within the meaning of this Act, the Poor Law Officers' Superannuation Act will, it is submitted, still apply to the officers and servants not determined to be established officers and servants.

(80). See Note (1).

SCHEDULE

Session and Chapter.	Title or Short Title.	Extent of Repeal.
19 & 20 Vict. c. 99.	The Lunatic Asylums Superannuations (Ireland) Act, 1856.	The whole Act so far as unrepealed.
30 & 31 Vict. c. 118	The Lunacy (Ireland) Act, 1867.	Section eight.
53 Vict. c. 5.	Lunacy Act, 1890.	Sections two hundred and eighty, two hundred and eighty-one, and two hundred and eighty-two.
53 & 54. Vict. c. 31.	The Pauper Lunatic Asylums (Ireland) Superannuation Act, 1890.	The whole Act so far as unrepealed.

REPEALED ENACTMENTS.

The Acts and Sections of Acts repealed by the Schedule are as follows :—

LUNATIC ASYLUMS SUPERANNUATIONS
(IRELAND) ACT, 1856.

WHEREAS an Act was passed in the Session of Parliament holden in the First and Second Years of His Majesty King George the Fourth, intituled “An Act to make more effectual Provision for the Establishment of Asylums for the Lunatic Poor and for the Custody of Insane Persons charged with Offences in Ireland”; and the said Act was amended by the following Acts; that is to say, an Act of the Session holden in the Sixth Year of His Majesty King

George the Fourth, Chapter Fifty-four; an Act of the Session holden in the Seventh Year of His Majesty King George the Fourth, Chapter Fourteen; an Act of the Session holden in the Eleventh Year of his Majesty King George the Fourth, Chapter Twenty-two; an Act of the Session holden in the Eighth and Ninth Years of Her Majesty, Chapter One hundred and seven; an Act of the Session holden in the Ninth and Tenth Years of Her Majesty, Chapter One hundred and fifteen; and an Act of the Session holden in the Eighteenth and Nineteenth Years of Her Majesty, Chapter One hundred and nine; and it is expedient to amend the said Acts so far as to enable the Governors of Asylums to grant Superannuations in certain Cases; Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows :

SHORT TITLE.

I. In citing this Act for any Purpose whatever it shall be sufficient to use the Expression "The Lunatic Asylums, Superannuations, Ireland, Act, 1856."

INTERPRETATION OF TERMS.

II. In the Interpretation of this Act, save where there is anything in the Subject or Context repugnant to such Construction, the Word "Asylums" shall mean "Asylums for the Lunatic Poor" established under the said recited Acts; and the Word "Officer" shall mean and include Managers, Chap-

lains, Physicians, Surgeons, Apothecaries, Matrons, Attendants, and Servants.

SUPERANNUATION OF OFFICERS.

III. It shall be lawful for the Governors of Asylums, with the Approval of the Inspectors of Lunatics, or One of them, to direct that any Officer who is incapable, from Age, Infirmary of Mind or Body, or otherwise, to discharge the Duties of his Office, shall be superannuated, and shall receive such yearly Superannuation Pension as upon Consideration of all the Circumstances of each Case shall appear to be just, not exceeding the Proportions, with reference to the Amount of the Salary of such Officer and the Period of his Service, which by an Act passed in the Fourth and Fifth Years of the Reign of His Majesty, King William the Fourth [c. 24], intituled "An Act to alter, amend, and consolidate the Laws for regulating the Pensions, Compensations and allowances to be made to Persons in respect of their having held Civil Offices in His Majesty's Service," or by any Act amending the same, are directed to be observed.

SUPERANNUATION PENSIONS, HOW TO BE RAISED, &c. CONSTRUCTION OF ACTS.

IV. The several Superannuation Pensions hereafter to become payable shall respectively be advanced, paid, presented for, and raised in like Manner as any other Monies advanced or raised for supporting and maintaining such Asylums respectively under the said recited Acts or any of them.

V. This Act and the said recited Acts shall be construed together as if One Act.

LUNACY (IRELAND) ACT, 1867.

SUPERANNUATION.

8. From and after the passing of this Act it shall be lawful for the Governors of any District Lunatic Asylum, with the approval of the Inspectors of Lunatics, or One of them, on the Retirement of any Officer or Servant whose whole time has been devoted to the Service of such Asylum, to direct that any Officer or Servant shall receive such Superannuation Allowances as they shall think proper; and in ascertaining and awarding the Amount of such Superannuation Allowance the said Governors shall proceed according to the Principles laid down by "The Superannuation Act, 1859"; and every such Superannuation Allowance shall be advanced, paid, presented for, and raised in like Manner as any other Monies advanced or raised for supporting and maintaining such District Lunatic Asylum: Provided always, that nothing herein contained shall prejudice or affect the Right to Superannuation of any Person employed in any District Lunatic Asylum previous to the passing of this Act.

LUNACY ACT, 1890

PENSIONS TO OFFICERS.

280.—(1.) The visiting committee may grant to any superintendent, chaplain, matron, or other officer or servant of the asylum, who is incapacitated by confirmed illness, age, or infirmity, or who has been an officer or servant in the asylum for not less than

fifteen years and is not less than fifty years old, such superannuation allowance as the committee think fit

(2.) Where the offices of superintendent and matron are held by man and wife, and a superannuation allowance has been granted to the superintendent, the committee may, if the matron has been an officer of the asylum for not less than twenty years, grant her such superannuation allowance as they think fit, although she is not incapacitated by illness, age, or infirmity: Provided that, if any such matron is appointed to a public office or to any office under this Act in respect of which she receives a salary, her superannuation allowance shall, so long as she receives such salary, be suspended or diminished by the amount of the salary according as the salary is or is not greater than the allowance.

(3.) A superannuation allowance shall not exceed two-thirds of the salary paid to the superannuated person at the date of superannuation and such further sum (if any) as the visitors think fit to grant, having regard to the value of the lodgings, rations, and other allowances enjoyed by the superannuated person.

MODE IN WHICH PENSION TO BE GRANTED.

281.—(1.) A superannuation allowance shall not be granted unless seven days' clear notice of the meeting at which the same is to be granted, and of the intention to determine thereat the question of such grant, has been given, nor unless three visitors concur in and sign the order granting the same.

(2.) A superannuation allowance granted under this Act shall be paid out of the county or borough fund as the case may be.

(3.) A superannuation allowance payable out of

the county fund shall not be paid until the grant thereof has been confirmed by the county council.

SERVICE IN SEVERAL ASYLUMS OF THE SAME LOCAL AUTHORITY.

282. When any officer is transferred from one asylum to another, wholly or in part belonging to the same local authority, his service in all such asylums shall be counted for the purpose of computing his pension, superannuation allowance, or gratuity for length of service, as if all such asylums had constituted only one asylum.

THE PAUPER LUNATIC ASYLUMS (IRELAND) SUPERANNUATION ACT, 1890.

PROVISION FOR SUPERANNUATION.

5.—(1.) In case any officer (within the meaning assigned to that word by the Act of the thirtieth and thirty-first years of the reign of Her present Majesty, chapter one hundred and eighteen) or servant of any district lunatic asylum in Ireland whose whole time has been devoted to the service of such asylum, become from confirmed sickness, age, or infirmity incapable of executing the office in person, or has been an officer or servant in the asylum for not less than fifteen years and be not less than fifty years of age, it shall be lawful for the Board of Governors of such asylum, if in their discretion they think fit so to do, but not otherwise, with the approval of the inspectors of lunatics or one of them, to grant to such officer or servant (whether incapable from sickness, age, or infirmity, or having been an officer or servant in the asylum for not less than fifteen years and being not less than fifty years of age) such annuity in the way of superannuation as they think proportionate to the merits and time of service of such

officer or servant, and every such annuity shall be advanced, paid, presented for and raised in like manner as any other moneys advanced or raised for supporting and maintaining such asylum: Provided always, that the annual amount paid in the way of superannuation to any retired officer or servant of any such asylum shall not exceed the sum of two-thirds of the annual salary and two-thirds of the annual value of the lodgings, rations, and other allowances payable to or enjoyed by the person superannuated at the time of his or her retirement; and that no such superannuation shall be granted unless notice of the meeting of the Board of Governors at which the same shall be granted, and of the intention to determine thereat the question of such superannuation, shall have been given to each member of such Board of Governors personally, or left at his place of abode, or posted at the post office nearest such asylum, in a letter directed to him, at least fourteen days before the time appointed for such meeting, nor unless three Governors concur in and sign the order granting the same.

(2.) Where the offices of superintendent and matron of any such asylum are held by man and wife, and an order has been made under this Act granting an annuity in the way of superannuation to the superintendent, the provisions of this Act as to the grant of annuity in the way of superannuation shall apply to such matron, notwithstanding she has not attained the age of fifty years, provided such matron has been an officer in the asylum for not less than twenty years, and provided that if any such matron as aforesaid at any time thereafter is appointed to any public office, or any office under the Lunacy Acts, in respect of which she receives a salary, the payment of the compensation awarded to her under this Act shall be suspended so long as she

receives such salary, if the amount thereof is greater than the amount of compensation; or, if not, shall be diminished by the amount of such salary.

(3.) Any annuity granted under this Act shall be in substitution for and not in addition to any superannuation allowance under the provisions of the Act of the thirtieth and thirty-first years of the reign of Her present Majesty, chapter one hundred and eighteen.

TABLES OF DEDUCTIONS.

Two per cent. Table

*For Officers and Servants with under five years' service on the
3rd December, 1909.*

Amount of Salary, &c.			Deduction.			Amount of Salary, &c.			Deduction.			Amount of Salary, &c.			Deduction.				
£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.		
	4	2			1	32	0	0		12	10	67	0	0		1	6	10	
	8	4			2	33	0	0		13	2	68	0	0		1	7	2	
	12	6			3	34	0	0		13	7	69	0	0		1	7	7	
	16	8			4	35	0	0		14	0	70	0	0		1	8	0	
1	0	0			5	36	0	0		14	5	71	0	0		1	8	5	
2	0	0			10	37	0	0		14	10	72	0	0		1	8	10	
3	0	0		1	2	38	0	0		15	2	73	0	0		1	9	2	
4	0	0		1	7	39	0	0		15	7	74	0	0		1	9	7	
5	0	0		2	0	40	0	0		16	0	75	0	0		1	10	0	
6	0	0		2	5	41	0	0		16	5	76	0	0		1	10	5	
7	0	0		2	10	42	0	0		16	10	77	0	0		1	10	10	
8	0	0		3	2	43	0	0		17	2	78	0	0		1	11	2	
9	0	0		3	7	44	0	0		17	7	79	0	0		1	11	7	
10	0	0		4	0	45	0	0		18	0	80	0	0		1	12	0	
11	0	0		4	5	46	0	0		18	5	81	0	0		1	12	5	
12	0	0		4	10	47	0	0		18	10	82	0	0		1	12	10	
13	0	0		5	2	48	0	0		19	2	83	0	0		1	13	2	
14	0	0		5	7	49	0	0		19	7	84	0	0		1	13	7	
15	0	0		6	0	50	0	0		1	0	0	85	0	0		1	14	0
16	0	0		6	5	51	0	0		1	0	5	86	0	0		1	14	5
17	0	0		6	10	52	0	0		1	0	10	87	0	0		1	14	10
18	0	0		7	2	53	0	0		1	1	2	88	0	0		1	15	2
19	0	0		7	7	54	0	0		1	1	7	89	0	0		1	15	7
20	0	0		8	0	55	0	0		1	2	0	90	0	0		1	16	0
21	0	0		8	5	56	0	0		1	2	5	91	0	0		1	16	5
22	0	0		8	10	57	0	0		1	2	10	92	0	0		1	16	10
23	0	0		9	2	58	0	0		1	3	2	93	0	0		1	17	2
24	0	0		9	7	59	0	0		1	3	7	94	0	0		1	17	7
25	0	0		10	0	60	0	0		1	4	0	95	0	0		1	18	0
26	0	0		10	5	61	0	0		1	4	5	96	0	0		1	18	5
27	0	0		10	10	62	0	0		1	4	10	97	0	0		1	18	10
28	0	0		11	2	63	0	0		1	5	2	98	0	0		1	19	2
29	0	0		11	7	64	0	0		1	5	7	99	0	0		1	19	7
30	0	0		12	0	65	0	0		1	6	0	100	0	0		2	0	0
31	0	0		12	5	66	0	0		1	6	5							

Two-and-a-half per cent. Table.

For Officers and Servants with over five, but under fifteen, years' service on the 3rd December, 1909.

Amount of Salary, &c.			Deduction.			Amount of Salary, &c.			Deduction.			Amount of Salary, &c.			Deduction.			
£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	
	3	4			1	31	0	0			15	66	0	0	1	13	0	
	6	8			2	32	0	0			16	0	67	0	0	1	13	6
	10	0			3	33	0	0			16	6	68	0	0	1	14	0
	13	4			4	34	0	0			17	0	69	0	0	1	14	6
	16	8			5	35	0	0			17	6	70	0	0	1	15	0
1	0	0			6	36	0	0			18	0	71	0	0	1	15	6
2	0	0	1	0	0	37	0	0			18	6	72	0	0	1	16	0
3	0	0	1	6	0	38	0	0			19	0	73	0	0	1	16	6
4	0	0	2	0	0	39	0	0			19	6	74	0	0	1	17	0
5	0	0	2	6	0	40	0	0	1	0	0	75	0	0	1	17	6	
6	0	0	3	0	0	41	0	0	1	0	6	76	0	0	1	18	0	
7	0	0	3	6	0	42	0	0	1	1	0	77	0	0	1	18	6	
8	0	0	4	0	0	43	0	0	1	1	6	78	0	0	1	19	0	
9	0	0	4	6	0	44	0	0	1	2	0	79	0	0	1	19	6	
10	0	0	5	0	0	45	0	0	1	2	6	80	0	0	2	0	0	
11	0	0	5	6	0	46	0	0	1	3	0	81	0	0	2	0	6	
12	0	0	6	0	0	47	0	0	1	3	6	82	0	0	2	1	0	
13	0	0	6	6	0	48	0	0	1	4	0	83	0	0	2	1	6	
14	0	0	7	0	0	49	0	0	1	4	6	84	0	0	2	2	0	
15	0	0	7	6	0	50	0	0	1	5	0	85	0	0	2	2	6	
16	0	0	8	0	0	51	0	0	1	5	6	86	0	0	2	3	0	
17	0	0	8	6	0	52	0	0	1	6	0	87	0	0	2	3	6	
18	0	0	9	0	0	53	0	0	1	6	6	88	0	0	2	4	0	
19	0	0	9	6	0	54	0	0	1	7	0	89	0	0	2	4	6	
20	0	0	10	0	0	55	0	0	1	7	6	90	0	0	2	5	0	
21	0	0	10	6	0	56	0	0	1	8	0	91	0	0	2	5	6	
22	0	0	11	0	0	57	0	0	1	8	6	92	0	0	2	6	0	
23	0	0	11	6	0	58	0	0	1	9	0	93	0	0	2	6	6	
24	0	0	12	0	0	59	0	0	1	9	6	94	0	0	2	7	0	
25	0	0	12	6	0	60	0	0	1	10	0	95	0	0	2	7	6	
26	0	0	13	0	0	61	0	0	1	10	6	96	0	0	2	8	0	
27	0	0	13	6	0	62	0	0	1	11	0	97	0	0	2	8	6	
28	0	0	14	0	0	63	0	0	1	11	6	98	0	0	2	9	0	
29	0	0	14	6	0	64	0	0	1	12	0	99	0	0	2	9	6	
30	0	0	15	0	0	65	0	0	1	12	6	100	0	0	2	10	0	

Three per cent. Table.

*For Officers and Servants with over fifteen years' service on the
3rd December, 1909, or subsequently appointed.*

Amount of Salary, &c.			Deduction.			Amount of Salary, &c.			Deduction.			Amount of Salary, &c.			Deduction.		
£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
	2	9		1		30	0	0		18	0	66	0	0	1	19	7
	5	7		2		31	0	0		18	7	67	0	0	2	0	2
	8	4		3		32	0	0		19	2	68	0	0	2	0	10
	11	1		4		33	0	0		19	10	69	0	0	2	1	5
	13	11		5		34	0	0	1	0	5	70	0	0	2	2	0
	16	8		6		35	0	0	1	1	0	71	0	0	2	2	7
	19	5		7		36	0	0	1	1	7	72	0	0	2	3	2
1	0	0		7		37	0	0	1	2	2	73	0	0	2	3	10
2	0	0	1	2		38	0	0	1	2	10	74	0	0	2	4	5
3	0	0	1	10		39	0	0	1	3	5	75	0	0	2	5	0
4	0	0	2	5		40	0	0	1	4	0	76	0	0	2	5	7
5	0	0	3	0		41	0	0	1	4	7	77	0	0	2	6	2
6	0	0	3	7		42	0	0	1	5	2	78	0	0	2	6	10
7	0	0	4	2		43	0	0	1	5	10	79	0	0	2	7	5
8	0	0	4	10		44	0	0	1	6	5	80	0	0	2	8	0
9	0	0	5	5		45	0	0	1	7	0	81	0	0	2	8	7
10	0	0	6	0		46	0	0	1	7	7	82	0	0	2	9	2
11	0	0	6	7		47	0	0	1	8	2	83	0	0	2	9	10
12	0	0	7	2		48	0	0	1	8	10	84	0	0	2	10	5
13	0	0	7	10		49	0	0	1	9	5	85	0	0	2	11	0
14	0	0	8	5		50	0	0	1	10	0	86	0	0	2	11	7
15	0	0	9	0		51	0	0	1	10	7	87	0	0	2	12	2
16	0	0	9	7		52	0	0	1	11	2	88	0	0	2	12	10
17	0	0	10	2		53	0	0	1	11	10	89	0	0	2	13	5
18	0	0	10	10		54	0	0	1	12	5	90	0	0	2	14	0
19	0	0	11	5		55	0	0	1	13	0	91	0	0	2	14	7
20	0	0	12	0		56	0	0	1	13	7	92	0	0	2	15	2
21	0	0	12	7		57	0	0	1	14	2	93	0	0	2	15	10
22	0	0	13	2		58	0	0	1	14	10	94	0	0	2	16	5
23	0	0	13	10		59	0	0	1	15	5	95	0	0	2	17	0
24	0	0	14	5		60	0	0	1	16	0	96	0	0	2	17	7
25	0	0	15	0		61	0	0	1	16	7	97	0	0	2	18	2
26	0	0	15	7		62	0	0	1	17	2	98	0	0	2	18	10
27	0	0	16	2		63	0	0	1	17	10	99	0	0	2	19	5
28	0	0	16	10		64	0	0	1	18	5	100	0	0	3	0	0
29	0	0	17	5		65	0	0	1	19	0						



INDEX.

- ADDITION of years of service for superannuation, 16.
- “AGGREGATE CONTRIBUTIONS,” 20.
- AGGREGATION OF SERVICE, 20.
- APPEALS, 33.
- APPOINTMENT, subsequent public, diminishes or suspends superannuation, 21.
- ASSIGNMENT, provisions in restraint of, 29.
- “ASYLUM,” meaning of—
 In England and Wales, 35.
 In Scotland, 36.
 In Ireland, 37.
- AWARDS respecting adjustments, 28.
- BANKRUPTCY, superannuation not to pass to trustee, 29.
- CANCELLATION OF SUPERANNUATION where incapacity ceases, 18.
- “CARE OR CHARGE OF PATIENTS,” a question of fact, 13.

COMMENCEMENT OF ACT, 40.

in Scotland, 36.

COMPULSORY RETIREMENT, 26.

CONTRACTING-OUT, 38.

CONTRIBUTIONS—

Scale of, 23.

tables of, 49-51.

return of, in certain cases, 24.

repaid, must be returned in order to reckon previous service, 25.

DEATH, distribution of unpaid grant, 31.

DECLARATIONS for purposes of grants, 32.

DEDUCTIONS—

Scale of, 23.

tables of, 49-51.

DEPENDANTS—

gratuities to, 19.

allowance may be applied to maintenance of, 30.

surplus may be paid to, where pensioner insane, 31.

DISMISSAL for fraud or grave misconduct, 19.

DIVISION INTO CLASSES, 12.

“EMOLUMENTS”—

meaning of, 34.

value of, to be scheduled and posted, 34.

“ESTABLISHED OFFICER OR SERVANT”—

who is an, 11, 35.

in Scotland, 37.

EXISTING SCHEMES, operation of, 39.

FALSE DECLARATION, penalty for, 33.

FEMALE OFFICER, marriage of, 25.

FIRST-CLASS OFFICERS AND SERVANTS—

who are, 12, 13.

rights of, 13.

FORFEITURE—

of grant for treason or felony, 14.

of claim by fraud or grave misconduct, 20.

FORM of contracting-out notice, 38.

FUTURE APPOINTMENTS, no power to superannuate
non-established officers and servants, 12.

GENERAL BOARD OF COMMISSIONERS IN LUNACY
FOR SCOTLAND, 36.

INCAPACITY, evidence of continuance of, 18.

INCOME TAX, deduction of contributions, 23.

INJURY IN DISCHARGE OF DUTIES, ground of
superannuation, 17.

INSANITY OF PENSIONER, 30.

INTERPRETATION OF TERMS, 35.

IRELAND, application of Act to, 37.

LANCASHIRE ASYLUMS BOARD, 36.

“LOCAL AUTHORITY”—

meaning of, 35.

in Scotland, 36.

references to, do not apply to Ireland, 37.

consent of, required to division into classes, 12.

LOCAL GOVERNMENT BOARD substituted for Secretary of State in case of Metropolitan Asylums Board, 36.

LORD-LIEUTENANT OF IRELAND, 37.

LUNACY ACT, 1890, 44.

LUNACY (IRELAND) ACT, 1867, 44.

LUNATIC ASYLUMS SUPERANNUATIONS (IRELAND) ACT, 1856, 41.

MARRIAGE OF FEMALE OFFICER, 25.

METROPOLITAN ASYLUMS BOARD—

Asylums for imbeciles are within the Act, 35.

take the place of Visiting Committee, 36.

non-established officers and servants of, 40.

NON-ESTABLISHED OFFICERS AND SERVANTS,
position of those in service at commencement of Act,
40.

NOTICES to be posted—

of division into classes, 13.

of value of emoluments, 34.

NOTICE, form of contracting-out, 38.

PAROCHIAL RELIEF, superannuation allowance may be applied in repayment of, 29.

PAUPER LUNATIC ASYLUMS (IRELAND) SUPER-ANNUATION ACT, 1890, 46.

PENALTY for making false declaration, 33.

PREVIOUS SERVICE, 21.

RECKONING SERVICE, 20.

REMOVAL to another Asylum, 21.

REPAID CONTRIBUTIONS, return of, 25.

REPEALED ENACTMENTS, 41-48.

REPEALS, EXTENT OF, 38.

RESIGNATION—

for fraud or grave misconduct constitutes forfeiture, 19.

call for, does not necessarily imply grave misconduct, 20.

voluntary, decisions of Local Government Board in regard to, 24.

RETIREMENT may be required on reaching pensionable age, 26.

RETURN OF CONTRIBUTIONS in certain cases, 24.

RULES AS TO DECLARATIONS, 32.

SALARY—

computation of, for superannuation, 33.

gross amount to be taken, 15.

SCALE OF CONTRIBUTIONS, 23.

SCHEDULE OF REPEALED ENACTMENTS, 41.

SCOTLAND, Application of Act to, 36.

SECOND-CLASS OFFICERS AND SERVANTS—

who are, 15.

rights of, 15.

SECRETARY OF STATE—

appeals to, 33.

consent of, to addition of years of service, 16.

consent of, to making of rules regarding declarations, 32.

jurisdiction of, in disputes between Visiting Committees, 27.

substitutions for, in Scotland and Ireland, and in case of Metropolitan Asylums Board, 36, 37.

SPECIAL SUPERANNUATION in case of injury in discharge of duty, 17.

SUBSEQUENT APPOINTMENTS, 21.

SUPERANNUATION FUND, 27.

SUPERANNUATION, History of, 3.

TABLES OF DEDUCTIONS, 49-51.

VISITING COMMITTEE—

in Scotland, 36.

in Ireland, 37.

in case of Metropolitan Asylums District, 36.

liability of committees under whom officer has previously served to contribute, 27.

VOLUNTARY RESIGNATIONS, decisions of Local Government Board, 24.

WAGES—

Computation of, for superannuation, 33.

gross amount to be taken, 15.

WORKMEN'S COMPENSATION, award does not affect superannuation, 14.



LONDON :
POOR-LAW PUBLICATIONS CO.
18-19, Whitefriars Street
Fleet Street, E C.

Royal 8vo. 280 Pages. Price 12/6 net.

Contracts of Local Authorities.

BY

W. C. MAUDE, B.C.L., M.A.,

AND

C. H. LEACH,

Barristers-at-Law.

Crown 8vo. 201 Pages. Price 5/6 post free.

The Law Relating to Pauper Lunatics.

BY

SYDNEY DAVEY, B.A., LL.B.,

Of the Middle Temple, Barrister-at-Law.

POOR-LAW PUBLICATIONS CO.,

18-19, Whitefriars St., Fleet St.,

LONDON, E.C.

**Largest Circulation of any Paper connected with
Poor-Law and Local Government Administration
in England.**

The Poor-Law Officers' Journal.

**"A CONSISTENT
ADVOCATE OF THE
BEST INTERESTS OF
THE POOR-LAW."**

THE ORGAN OF THE POOR-LAW.

PUBLISHED EVERY FRIDAY MORNING.

OFFICES: 18 & 19, WHITEFRIARS STREET, FLEET STREET, LONDON, E.C.

The Poor-Law Officers' Journal deals in a practical manner with all questions that affect the administration of the Poor-Law. It records the more important matters that transpire at meetings of Boards of Guardians and other bodies associated with this department of local government.

Full accounts are given in the **Journal** of the meetings of the Central and the District Poor-Law Conferences, and also of those of the Poor-Law Unions' Association and of the several Officers' Associations, including the meetings of the National Poor-Law Officers' Association.

The **Journal** has special articles which treat of every phase of administration. These are contributed by experts, and amongst the writers are some of the leaders in every department of Poor-Law work, prominent members of Boards of Guardians, and well-known officers of the Poor-Law.

Cases brought at Quarter Sessions and in the High Courts on Poor-Law questions are reported, and their effect upon the work of Guardians described. All proposals for the alteration or amendment of the law are given and explained, together with the Orders and Circular Letters of the Local Government Board as issued from time to time.

The **Journal** has a special department arranged for the receipt and answer of questions—to be sent by letter—on all matters that arise out of Poor-Law Administration. The questions are answered by Barristers of practical experience in the several departments of Poor-Law and Local Government Service, and the replies have been found of the greatest benefit to all administrators.

Information is given in the **Journal** of every kind that can be found useful to members of Boards of Guardians or to others interested in work amongst the legal poor of the country. The character of the **Journal** as the best medium for Poor-Law news and comments, and for information upon debated questions of administration, is thoroughly well established, and the paper is now generally known as "the Organ of the Poor-Law." No Guardian or Officer should be without it.

The "Journal" as an Advertising Medium.

In view of its high character as a Poor-Law paper, of its consistent advocacy of the best interests of the Poor-Law, and of its largely-increased circulation, it is not surprising that its value as an advertising medium in Poor-Law administration stands at the highest point: This is shown by the following quotation from amongst a number of unsolicited testimonials. It is from a gentleman holding an important position in the Poor-Law Service. He writes:—

"It may interest you to know that as the result of one insertion of my advertisement in 'The Poor-Law Officers' Journal,' we have received more applications, and from a better class of candidate, than when we advertised (at thrice the cost) in other papers."





